

RAILROAD RATE BILL PASSES SENATE

Only Three Senators Voted Against the Measure as Amended.

Some Criticism of the President was Indulged in on the Last Day of Debate, but it was Generally Acknowledged that His Initiative Made Railroad Legislation Possible— A Synopsis of the Bill as it Stands

Washington, D. C. — After 70 days of almost continuous deliberation the senate Friday at 4:53 p. m. passed the railroad rate bill by the practically unanimous vote of 71 to 3. The three negative votes were cast by Senators Foraker, republican, of Ohio, and Morgan and Pettus, democrats, Alabama. There was a somewhat larger attendance of senators than usual, but the attendance in the galleries was by no means abnormal, and there was no manifestation of any kind when the result was announced. There was, however, an almost general sigh of relief among senators.

The bill has received more attention from the senate and from the country at large than any measure that has been before congress since the repeal of the purchasing clause of the Sherman act in 1893. It was reported to the senate on February 26 and was made the unfinished business on March 12. From March 12 to May 4 the bill was under general discussion without limitation on the duration of speeches, 58 of which were delivered. Many of these were prepared with great care, and two of them consumed more than a day's time in delivery. Senator LaFollette, the junior senator from Wisconsin, spoke for three days, and Senator Daniel, Virginia, for two days. Senators Bailey, Foraker, Lodge, Rainey, Dolliver and others spoke each for one entire day.

For 12 days the bill has been under consideration under a rule limiting speeches to 15 minutes each. The debate has at all times been earnest and animated, but for the most part devoid of personality as between senators, the past few days, however, having called out some caustic criticisms of the president and of some newspaper correspondents by Senator Bailey.

After the senate concluded the third reading of the railroad rate bill Friday Senator Rayner took the floor to discuss the general aspects of the measure. His speech dealt mainly with the president's connection with the legislation and was largely personal throughout.

When the senator concluded, Senator Dolliver took the floor, saying that if he felt about the bill as did Mr. Rayner he would not vote for it. "The bill is not revolutionary or dangerous legislation," he said, and predicted that it would have the popular approval.

Anxious as were Senators by this time to reach a vote there was nevertheless much interest manifested when Senator Tillman took the floor. After announcing his intention to vote for the bill as the "best he could get," he entered upon the task of acknowledging the instrumentality of the president in securing the legislation. He came bluntly to the point, saying: "But for the work of Theodore Roosevelt in bringing this matter to the attention of the country we would not have had any bill at all. It is true that the idea was not his and that the demand for the legislation was made in three democratic platforms; nevertheless he seized upon the idea and the success of the issue is largely due to his advocacy. I can't congratulate him on his victory for I think we should have had a better bill."

Some effort may be made when the bill reaches conference to have the words which the administration officers of the law believe are essential to its efficiency restored. It is certain that another fight will be made in conference. But it is doubtful whether the house can induce the senate to recede, as the vote for striking out the words was 50 to 24. Some of the other senate amendments will also be modified.

The oil pipe line amendment is in a most hopeless condition as the bill passed the senate. Under one section of the bill, pipe lines are made common carriers and under another the producers of oil cannot both operate pipe lines and produce the product which is to be transported over them. This means that the bill as it now stands would force the Standard Oil company to accept the oil of independents for its pipe line, but it could not transport its own oil through its own pipe line, an apparent absurdity which the courts would not tolerate.

Synopsis of the Bill.

Washington, D. C. — The principal purpose of the railroad rate bill passed Friday is to permit the interstate commerce commission to fix rates. The provision conferring this authority is found in the fourth section of the bill which amends section 15 of the interstate commerce law so as to

accomplish this result. That section directs the commission to investigate complaints of unjust and unreasonable charges on the part of the common carriers in the transportation of persons or property or of regulations or of practices affecting such charges. It also authorizes an inquiry as to whether the rates or practices are "unjustly discriminative or unduly preferential or prejudicial or otherwise in violation of the act," and in case any of these conditions are found to exist the commission is empowered to determine and prescribe what will be the just and reasonable maximum rate and what regulation or practice is just, reasonable and fair. Further, authority is given the commission to enforce its orders and they are to go into effect within 30 days and continue in force for two years unless suspended, modified or set aside by the commission or by a court of competent jurisdiction. Other powers conferred by this section are "to apportion joint fares, establish through routes and maximum joint rates and prescribe their division and to determine the compensation to be paid to shippers doing service for carriers."

Section 16 of the present law is so changed as to provide for an award of pecuniary damages to complainants found entitled and in case payment is not promptly made in accordance with this award the beneficiary is authorized to file suit in a United States circuit court to compel compliance. The finding of the commission is to be received as prima facie evidence of the facts in such suits and the petitioner is absolved from all liability for costs. Another provision renders legal the service of the orders of the commission through the mails and provides that these orders shall take effect 30 days after service unless suspended or set aside by the courts. A penalty of \$5,000 for each offense in disobedience of the order is imposed, and the penalty is to accumulate at the rate of \$5,000 a day in case of continuous violation. Orders other than those for money payments are to be enforced by the federal courts through writs of mandamus or injunction and in case of appeal to the supreme court these cases are to be given preference over all others except those of a criminal character.

The bill was amended by the senate so as to give the United States circuit courts jurisdiction to entertain suits brought to annul or change the orders of the commission and to provide against the granting of interlocutory decrees without hearing and making appeals from such orders direct to the supreme court.

Other provisions extend the definition of the word railroads so as to make it include switches, spurs, tracks, terminal facilities, freight depots, yards and grounds and defines the word "transportation" so as to make it embrace cars and other facilities for shipment or carriage, "irrespective of ownership or of any contract" the intention being to make the railroads responsible for all special car service. It is made the duty of carriers to furnish special car service upon reasonable request.

Senate amendments include oil pipe lines, express companies and shipping car companies under the head of "common carriers" and make them amenable to the requirements of the bill. Other senate modifications prohibit the issuance of passes or the granting of special favors to one class of passengers over another, prohibiting railroad companies from transporting commodities produced by themselves; require such companies to put in switches at the reasonable request of shippers, prohibits the granting of acceptance of rebates and reinstates the imprisonment penalty for violation of the law.

There are also changes in the law relative to the reports to be required of common carriers, and a penalty of \$100 a day is imposed for failure to comply with the report requirement.

The commission is given access to the accounts of the companies affected by the act, but examiners are forbidden under penalty of heavy fine and long imprisonment from divulging the facts ascertained. Fines of \$500 for each failure to keep proper accounts is provided. A falsification of accounts is made punishable by fine and imprisonment.

Circuit and district courts of the United States are given jurisdiction over all complaints by the commission of failure to comply with its orders and such courts are required to issue writs of mandamus compelling such compliance.

THE POINT OF THE PROVERB

An old proverb advises the shoemaker to stick to his last. It means that a man always succeeds best at the business he knows. To the farmer it means, stick to your plow; to the blacksmith, stick to your forge; to the painter, stick to your brush. When we make experiments out of our line they are likely to prove expensive failures.

It is amusing, however, to remark how every one of us secretly thinks he could do some other fellow's work better than the other fellow himself. The painter imagines he can make paint better than the paint manufacturer; the farmer thinks he can do a job of painting better, or at least cheaper than the painter, and so on.

A farm hand in one of Octave Thanet's stories tells the Walking Delegate of the Painters' Union, "Anybody can slather paint;" and the old line painter tells the paint salesman, "None of your ready made mixtures for me; I reckon I ought to know how to mix paint."

The farm hand is wrong and the painter is wrong: "Shoemaker, stick to your last." The "fancy farmer" can farm, of course, but it is an expensive amusement. If it strikes him as pleasant to grow strawberries at fifty cents apiece, or to produce eggs that cost him five dollars a dozen, it is a form of amusement, to be sure, if he can afford it, but it's not farming. If the farmer likes to slosh around with a paint brush and can afford the time and the expense of having a practical painter do the job right pretty soon afterward, it's a harmless form of amusement. If the painter's customers can afford to stand for paint that comes off in half the time it should, they have a perfect right to indulge his harmless vanity about his skill in paint making. But in none of these cases does the shoemaker stick to his last.

There is just one class of men in the world that knows how to make paint properly and have the facilities for doing it right; and that is the paint manufacturers—the makers of the standard brands of ready-prepared paints. The painter mixes paints; the paint manufacturer grinds them together. In a good ready-prepared paint every particle of one kind of pigment is forced to join hands with a particle of another kind and every bit of solid matter is forced, as it were, to open its mouth and drink in its share of linseed oil. That is the only way good paint can be made, and if the painter knew how to do it he has nothing at hand to do it with. A paint pot and a paddle are a poor substitute for power-mixers, buhr-mills and roller-mills.

The man who owns a building and neglects to paint it as often as it needs paint is only a degree more short-sighted than the one who tries to do his own painting or allows the painter to mix his paint for him.

P. G.

CLOTHES AND CONDUCT.

Addison could not write his best unless he was well dressed.

Every man and every woman feels the influence of clothes and appearance upon conduct.

Indeed, in a millennium of free clothes of the latest fashion we shall all be archangels.

You have heard of the lonely man in the Australian bush who always put on evening dress for dinner, so that he might remember he was a gentleman.

Put a naughty girl into her best Sunday clothes, and she will behave quite nicely. Put a blackguard into khaki and he will be a hero. Put an omnibus conductor into uniform and he will live up to his clothes.

LIMB RAW AS PIECE OF BEEF.

Suffered for Three Years with Itching Humor—Cruiser Newark U. S. N. Man Cured by Cuticura.

"I suffered with humor for about three years off and on. I finally saw a doctor and he gave me remedies that did me no good, so I tried Cuticura when my limb below the knee to the ankle was as raw as a piece of beef. All I used was the Cuticura Soap and the Ointment. I bathed with Cuticura Soap every day, and used about six or seven boxes of Cuticura Ointment. I was thoroughly cured of the humor in three weeks, and haven't been affected with it since. I use no other Soap than Cuticura now. H. J. Myers, U. S. N., U. S. S. Newark, New York, July 8, 1905."

"Poverty is no disgrace," said Uncle Eben, "but dat fact ain't a good excuse for de man dat 'ud rather be broke dan to go to work."—Washington Star.

Yellow clothes are unsightly. Keep them white with Red Cross Ball Blue. All grocers sell large 2 oz. package, 5 cents.

You have to understand human nature mighty well to know that other people aren't any bigger fools than you are.—N. Y. Press.

Write Garfield Tea Co., Brooklyn, N. Y., for sample of Garfield Tea. Mild laxative.

The cheapest way to acquire a reputation for wisdom is to agree with everybody.

DECISION AGAINST BURTON.

United States Supreme Court Affirms Sentence of Kansas Senator.

Fine of \$2,500 and Six Months in Jail—Granted Time to Present Petition for Rehearing.

Washington, D. C. — The supreme court of the United States Monday rendered a decision in the case of United States Senator J. Ralph Burton, of Kansas. The decision was against Burton, affirming the decision of the United States circuit court for the eastern district of Missouri, by which Burton was sentenced to six months imprisonment in the jail of Iron county, Missouri, required to pay a fine of \$2,500 and deprived of the right to hereafter hold office under the government.

The opinion was by Justice Harlan. All of the points made in Burton's interest were overruled.

Senator Burton was prosecuted on the charge of violating section 1,782 of the revised statutes which prohibits senators and representatives from receiving compensation for services rendered before any of the government departments in any matter in which the government may be interested. He was specifically charged with accepting a fee of \$500 per month for five months from the Rialto Grain & Securities company of St. Louis for services rendered that company in an effort to prevent the issuance of an order by the postoffice department prohibiting the use of the mails by the company.

This was Senator Burton's second appeal to the supreme court. In the first case the circuit court found him guilty and imposed the same penalty that was imposed in the present case but the supreme court reversed the decision in the first instance because it was made to appear that the money was paid in Washington and not in St. Louis where the case was tried.

Justices Brewer, White and Peckham united in a dissenting opinion delivered by Justice Brewer. Their opinion was based on the theory that the United States was not legally interested in the case against the Rialto company in which Burton was employed as counsel.

Immediately after promulgating its decision in the Burton case, the supreme court of the United States granted a motion to give 60 days to Senator Burton in which to prepare a petition for a re-hearing. The action will have the effect of taking the case over until the next term of court beginning in October as the present term will expire next Monday.

Simbirsk, Russia. — A fight Tuesday directed the committee on privileges and elections to investigate the effect of Monday's decision by the supreme court in the case of Senator Burton. The resolution was offered by Senator Hale and read as follows:

"Resolved, That the committee on privileges and elections be directed to examine into the legal effect of the late decision of the supreme court in the case of Joseph R. Burton, a senator from Kansas, and as soon as may be to report their recommendations as to what action, if any, shall be taken by the senate." The resolution was adopted without debate.

Many supposed that the senate would wait until the case was finally disposed of in the courts. It was the understanding among republican senators at the beginning of the trial that no action should be taken until the case was finally disposed of by the supreme court. The language of Judge Harlan, however, in the majority opinion, put the case squarely before the senate. He stated in positive terms that the supreme court was not concerned with the question of Burton's seat in the senate; that under the constitution the senate was the sole judge of its own membership.

Senator Burrows, of Michigan, is chairman of the committee to which the Hale resolution was referred. He will appoint at once a sub-committee to make a report at the earliest practicable moment.

Marines to Protect Canal Zone.

Washington, D. C. — More than 600 marines will confront liberal leaders on the isthmus of Panama in case they attempt to promote riots and revolution at the time of the election in Panama on June 20. Although the canal zone is under the secretary of war, there is no indication that the war department will have any troops near the isthmus at the time of the approaching election and Secretary Taft must rely upon the marine corps to protect the canal zone.

May File the "Katy" Suit.

Washington, D. C. — The supreme court of the United States Monday granted the petition of the state of Kansas to file a suit against the United States and others in the case involving the land grant through the Indian Territory for the benefit of the Missouri, Kansas & Texas railroad company.

Mrs. Mittie Huffaker.



HAD GIVEN UP ALL HOPE. CONFINED TO HER BED WITH DYSPEPSIA.

"I Owe My Life to Pe-ru-na," Says Mrs. Huffaker.

Mrs. Mittie Huffaker, R. R. No. 3, Columbia, Tenn., writes:

"I was afflicted with dyspepsia for several years and at last was confined to my bed, unable to sit up."

"We tried several different doctors without relief."

"I had given up all hope of any relief and was almost dead when my husband bought me a bottle of Pe-runa."

"At first I could not notice any benefit, but after taking several bottles I was cured sound and well."

"It is to Peruna I owe my life today."

"I cheerfully recommend it to all sufferers."

Revised Formula.

"For a number of years requests have come to me from a multitude of grateful friends, urging that Peruna be given a slight laxative quality. I have been experimenting with a laxative addition for quite a length of time, and now feel gratified to announce to the friends of Peruna that I have incorporated such a quality in the medicine which, in my opinion, can only enhance its well-known beneficial character."

"S. B. HARTMAN, M. D."

NOT YOUR HEART

If you think you have heart disease you are only one of a countless number that are deceived by indigestion into believing the heart is affected.

Lane's Family Medicine

the tonic-laxative, will get your stomach back into good condition, and then the chances are ten to one that you will have no more symptoms of heart disease.

Sold by all dealers at 25c. and 50c.



FRANK P. LEWIS, Peoria, Ill.

Originator of Tin Foli Smoker Package. The man who has made Lewis' Single Binder Straight & Clear famous among smokers throughout the West.

A Positive CATARRH CURE

Ely's Cream Balm

is quickly absorbed. Gives Relief at Once.

It cleanses, soothes, heals and protects the diseased membrane. It cures Catarrh and drives away a Cold in the Head quickly. Restores the Senses of Taste and Smell. Full size 50 cts., at Drug-gists or by mail; Trial Size 10 cts. by mail.

Ely Brothers, 50 Warren Street, New York.

HAY FEVER

Ely Brothers, 50 Warren Street, New York.

Young Men and Mechanics Wanted

for the NAVY: ages 17 to 35 years; pay \$15.00 to \$20.00 per month; opportunity for advancement. All candidates must pass a physical examination; must be citizens of the United States, and able to speak, read and write English. For full particulars apply at

THE NAVY RECRUITING STATION, Second Floor Post Office Building, Kansas City, Mo., or Room 6 Corby Building, St. Joseph, Mo.

DEFIANCE STARCH